United Nations S/PRST/2012/1

Security Council

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Statement by the President of the Security Council

At the 6705th meeting of the Security Council, held on 19 January 2012, in connection with the Council's consideration of the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council recognizes the need for universal adherence to and implementation of the rule of law and emphasizes the vital importance it attaches to promoting justice and the rule of law as an indispensable element for peaceful coexistence and the prevention of armed conflict.

"The Security Council reaffirms its commitment to international law and the Charter of the United Nations, and to an international order based on the rule of law and international law, which are essential for cooperation among States in addressing common challenges, thus contributing to the maintenance of international peace and security.

"The Security Council is committed to and actively supports the peaceful settlement of disputes and reiterates its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter of the United Nations. The Council emphasizes the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work. To this end the Council calls upon States that have not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute.

"The Security Council reiterates its concern over the devastation and suffering caused by armed conflict and emphasizes the need to prevent conflict and, where conflict has already broken out, to restore peace and security. The Council acknowledges that political will and the concerted efforts of both national governments and the international community are critical to preventing conflict and achieving success in the restoration of and respect for the rule of law.

"The Security Council reiterates its concern about the situation of the most vulnerable in societies affected by armed conflict, including women and children as well as other vulnerable groups and displaced persons. The Council expresses particular concern about sexual and gender-based violence in

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conflict situations and recalls in this regard resolution 1325 (2000) and other relevant resolutions.

"The Security Council reaffirms that sustainable peace requires an integrated approach based on coherence between political, security, development, human rights, including gender equality, and rule of law and justice activities. In this regard the Council emphasizes the importance of the rule of law as one of the key elements of conflict prevention, peacekeeping, conflict resolution and peace building.

"The Security Council recognizes the importance of national ownership in rule of law assistance activities, strengthening justice and security institutions that are accessible and responsive to citizens' needs and which promote social cohesion and economic prosperity. In this regard, the Council takes note of the initiatives being taken by some conflict-affected countries to help ensure national ownership in rule of law assistance activities and improve the quality of support to those countries.

"The Security Council recognizes the need for enhanced efforts aimed at capacity building in justice and security institutions, especially in the police, prosecutorial, judicial and corrections sectors. In this regard, the Council notes the need for increased efforts to ensure that conflict-affected countries are able to access a broad range of relevant expertise, in particular from developing countries, in order to effectively build the capacity of justice and security institutions.

"The Security Council welcomes efforts by the Rule of Law Unit and the Rule of Law Coordination and Resource Group within existing mandates and encourages further efforts to ensure greater coordination and coherence in rule of law activities in conflict-affected societies. To this end the Council requests that the Secretary-General continues his efforts to further clarify roles and responsibilities within the UN system for specific rule of law activities, based on assessments of agencies' respective strengths and capacities, to ensure more effective delivery of support to conflict-affected countries.

"The Security Council notes with concern that transnational organised crime and drug trafficking can pose serious threats to international security in different regions of the world, notes also that these transnational crimes may threaten the security of countries on its agenda, including post-conflict states, encourages the coordination of United Nations actions as well as Member States' actions in fighting these threats through implementation of national and international applicable norms, relevant international long-term capacity-building efforts and regional initiatives.

"The Security Council reiterates its call on all parties to armed conflict to comply with the obligations applicable to them under international humanitarian law and to take all required steps to protect civilians and recalls in this regard resolution 1894 (2009).

"The Security Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law. The Council further emphasizes the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against

humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation.

"The Security Council recalls the Statement by its President on 29 June 2010 (S/PRST/2010/11) which included the contribution of the International Criminal Court, ad hoc and mixed tribunals, as well as chambers in national tribunals to the fight against impunity for the most serious crimes of concern to the international community. In this regard, the Council reiterates its previous call on the importance of State cooperation with these Courts and Tribunals in accordance with the states' respective obligations.

"The Security Council reaffirms that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia including hostage-taking negatively affects the rule of law, and recalls its decision contained in resolution 2015 (2011) to continue consideration, as a matter of urgency, without prejudice to any further steps to ensure that pirates are held accountable, of the establishment of specialized anti-piracy courts in Somalia and other States in the region with substantial international participation and/or support.

"The Security Council considers sanctions an important tool in the maintenance and restoration of international peace and security. The Council reiterates the need to ensure that sanctions are carefully targeted in support of clear objectives and designed carefully so as to minimize possible adverse consequences and implemented by Member States. The Council remains committed to ensure that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions.

"The Security Council looks forward to the High Level meeting on the Rule of Law at the National and International Levels to be held on 24 September 2012 and notes with appreciation the intention to extend an invitation to the President of the Council to participate in the event.

"The Security Council requests the Secretary-General to provide a follow-up report within 12 months to consider the effectiveness of the UN system's support to the promotion of the rule of law in conflict and post-conflict situations."

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Security Council

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Statement by the President of the Security Council

At the 6717th meeting of the Security Council, held on 21 February 2012, in connection with the Council's consideration of the item entitled "Peace and Security in Africa" with focus on "the impact of the transnational organized crime on peace, security and stability in West Africa and the Sahel Region", the President of the Council issued the following statement on behalf of the Council:

"The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations.

"The Security Council expresses concern about the serious threats to international peace and stability in different regions of the world, in particular in West Africa and the Sahel Region, posed by transnational organized crime, including illicit weapons and drug trafficking, piracy and armed robbery at sea, as well as terrorism and its increasing links, in some cases, with transnational organized crime and drug trafficking. The Council stresses that these growing international threats, particularly in West Africa and the Sahel Region, contribute to undermining governance, social and economic development and stability, and creating difficulties for the delivery of humanitarian assistance, while threatening to reverse peacebuilding advances in the region.

"The Security Council is also strongly concerned by the increasing violence perpetrated by armed groups in the region, which has been exacerbated by the proliferation of weapons, from within and outside the region, that threaten peace, security and stability of States, recalls in this context its resolution 2017 (2011) and its previous resolutions and presidential statements on the impact of the transnational threats mentioned above and welcomes regional initiatives such as the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other related Material.

"The Security Council acknowledges the importance of system-wide UN action, in order to offer coherent and coordinated responses to transnational threats mentioned above, including through the use of best practices and exchange of positive experiences from relevant initiatives in other regions of the world, such as the Paris Pact.

"The Security Council notes with concern that the threats mentioned above may threaten the security of countries on its agenda, including post-conflict states, and encourages the coordination of United Nations actions as well as Member States' actions in fighting these threats. The Security Council

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encourages international long term capacity building efforts and regional initiatives. In this regard, the Security Council commends the important work of the United Nations Office on Drugs and Crime (UNODC) and encourages UNODC Executive Director to further assist States of the region, in collaboration with other relevant UN entities, and calls on UNODC to brief the Council as necessary.

"The Security Council calls on States that have not yet ratified or implemented the relevant international conventions, such as the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime of 2000 and the Protocols thereto and the United Nations Convention against Corruption of 2003, to do so.

"The Security Council recognizes the support provided by bilateral and multilateral actors, including the European Union, African Union and ECOWAS to efforts aimed at combating transnational organized crime and calls on the international community and the UN system to strengthen their cooperation with regional organizations, and initiatives such as the Bamako Ministerial Conference on Impunity and Human Rights in West Africa, the Ministerial Conference of African Atlantic States, the G8 Paris Conference on Transatlantic Trafficking of Cocaine and the Transatlantic Symposium on Dismantling Transnational Illicit Networks.

"The Security Council commends the States and leaders of West Africa and the Sahel Region for the important initiatives and measures they have adopted, at national and regional levels, to tackle the threat of organized crime in their region. The Security Council urged States of the Region to extend their support to the African Union Plan of Action on Drug Control and Crime Prevention 2007-2012 and the 'ECOWAS Regional Action Plan to address the Growing Problem of Illicit Drug Trafficking, Organized Crime and Drug Abuse in West Africa (2008-2011)' and to renew the ECOWAS Action Plan into 2012 and beyond. The Security Council also urged them to extend their support to the West Africa Coast Initiative (WACI). The Security Council calls on the international community to continue to support these initiatives, including border control.

"The Security Council reaffirms its commitment to international law and the Charter of the United Nations, and to an international order based on the rule of law and international law, which are essential for cooperation among States in addressing common challenges, thus contributing to the maintenance of international peace and security. In this regard, the Security Council stresses the importance of implementing relevant international agreements, and of strengthening international, regional and transregional cooperation including capacity building in justice and security institutions in order to investigate and prosecute, as appropriate, persons and entities responsible for these crimes.

"The Security Council invites the Secretary-General to consider these threats as a factor in conflict prevention strategies, conflict analysis, integrated missions' assessment, planning and peacebuilding support and to consider including in his reports, analysis of the role played by these threats in

situations on the Council's agenda, in view to strengthen a coordinated and synergetic effort by relevant UN entities and requests him to report on specific recommendations on ways and means in which the Council may deal with the question of transnational organized crime including drug trafficking in West Africa and the Sahel region, taking into account the views of Member States, recent experiences in the field and the contents of this Statement."